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# A BILL FOR AN ACT

RELATING TO TOWING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 290-11, Hawaii Revised Statutes, is  
2 amended by amending subsection (f) to read as follows:  
3           " (f) Notwithstanding any law or ordinance to the contrary,  
4 including subsection (g), and section 46-20.5, any towing  
5 company engaged in towing in a county with a population greater  
6 than five hundred thousand [~~shall not be entitled to any~~  
7 ~~overtime charge under subsection (b)(1) if~~] shall offer towing  
8 services to consumers [~~are not offered~~] twenty-four hours per  
9 day every day of the week[~~; provided that a towing company shall~~  
10 ~~file their hours of operation with the police department in a~~  
11 ~~county with a population greater than five hundred thousand.~~],  
12 which shall include the release of vehicles kept in storage to a  
13 registered owner, legal owner, insurer, or a designated  
14 representative."

15           SECTION 2. Section 291C-135, Hawaii Revised Statutes, is  
16 amended to read as follows:



1           "§291C-135 Tow trucks; signage and insurance requirements.

2 Notwithstanding any other law to the contrary, the registered  
3 owner or lessee of a tow truck shall:

4           (1) Permanently affix on each door of the truck a sign  
5                 with the name and telephone number of the tow  
6                 business. The letters and numbers used in the sign  
7                 shall be no less than two inches in height; and

8           (2) Maintain insurance [~~coverage sufficient~~] in the  
9                 following amounts:

10           (A) Bodily injury of not less than \$500,000;

11           (B) Property damage of not less than \$200,000;

12           (C) On-hook coverage of not less than \$175,000; or

13           (D) A combined single limit of liability of not less  
14                 than \$1,000,000,

15           to protect owners of towed vehicles in the event of  
16           vehicle loss or damage due to towing. If a tow  
17           operator fails to comply with the insurance  
18           requirements of this section, no charges, including  
19           storage charges, may be collected by the tow operator  
20           as a result of the tow or as a condition of the  
21           release of the towed vehicle. Any person, including  
22           the registered owner, lien holder, or insurer of the



1           vehicle, who has been injured by the tow operator's  
2           failure to comply with this section is entitled to sue  
3           for damages sustained. If a judgment is obtained by  
4           the plaintiff, the court shall award the plaintiff a  
5           sum of not less than \$1,000 or threefold damages  
6           sustained by the plaintiff, whichever sum is greater,  
7           and reasonable attorney's fees and costs.

8 This section shall not apply to a county that has adopted  
9 ordinances regulating towing operations."

10           SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12           SECTION 4. This Act shall take effect on December 21,  
13 2058.



**Report Title:**

Motor Vehicle Towing; Hours of Operation; Insurance

**Description:**

Requires towing companies to be in operation twenty-four hours per day, 7 days a week in a county with a population greater than 500,000 persons. Requires tow companies open for twenty-four hours to offer services that include the release of vehicles in storage. Requires tow operators to maintain, at minimum, \$500,000 bodily injury coverage, \$200,000 property damage insurance, \$175,000 on-hook coverage insurance, or a combined single limit of liability insurance coverage of \$1,000,000. Effective December 21, 2058. (HB1978 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

